

A MEMORANDUM OF UNDERSTANDING

BY AND BETWEEN THE BOSTON WATER & SEWER COMMISSION
AND
THE BOSTON REDEVELOPMENT AUTHORITY

AGREEMENT made this day of , by and between the Boston Water and Sewer Commission, a public body corporate and politic and a political sub division of the Commonwealth, organized and existing under Chapter 436 of the Acts of 1977, hereinafter referred to as the "Commission" and the Boston Redevelopment Authority, a public body corporate and politic organized and existing under M.G.L., C. 121B, hereinafter referred to as the "Authority".

WHEREAS, the Authority is administering the South End and Charlestown Urban Renewal Projects, and in conjunction with these projects has prepared and partially implemented a pollution abatement program within the project areas; and

WHEREAS, the Commission has become involved in the affairs, including financing, operation, and maintenance of the public water and sewer systems of the City of Boston (City), and all grants or contracts that pertain thereto; and

WHEREAS, the City, under the provisions of Title II of the Federal Water Pollution Control Act. PL92-500, has received Step II design and Step III construction grants to be utilized towards the completion of the South End and Charlestown projects; and

WHEREAS, the City has executed contracts, annexed hereto as Exhibit "A", with the Federal Environmental Protection Agency, (EPA) and the Commonwealth of Massachusetts, (Commonwealth) which state the scope of approved program and the City's responsibilities in implementing the approved grants; and

WHEREAS, the Commission, and the City are desirous of having the Authority undertake the design and construction of the approved pollution control program; and

WHEREAS, it is necessary to the Authority's administration that all grant payments under said program made by the E.P.A. and the Commonwealth to the Commission be promptly turned over to the Authority for the costs incurred in carrying out the program;

NOW, THEREFORE, the parties hereto agree that the Authority,

1. is authorized to undertake the pollution abatement program specified in Exhibit A,
2. assumes responsibility for meeting the requirement imposed on the City and the Commission by its execution of the contracts annexed in Exhibit A.

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The parties hereto further agree that the Commission

1. will promptly endorse payover to or otherwise transfer to the Authority all payments made under grants by the E.P.A. and the Commonwealth as reimbursement for costs incurred in the design and construction of the program.
2. That the Executive Director, of the Commission, acting in behalf of the Commission is hereby authorized to sign and transmit to the Commonwealth and the E.P.A. all requisitions for payments, as may be prepared for submission by the Authority and to execute the prompt endorsement, payover or transfer to the Authority of all payments made under the grants by the E.P.A. and the Commonwealth.

BOSTON WATER & SEWER COMMISSION

By: _____
Chairman

Approved as to form:

By: _____
Commissioner

Chief Counsel

By: _____
Commissioner

Approved as to form:

BOSTON REDEVELOPMENT AUTHORITY

Charles J. Speleotis
Chief General Counsel

By: _____
Robert F. Walsh
Director

May 11, 1978

M E M O R A N D U M

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT F. WALSH, DIRECTOR

SUBJECT: Agreement Between the B.R.A. and the Boston Water & Sewer Commission for Prompt Transfer to the B.R.A. of Payments to be made on Several E.P.A. Grants.

The City of Boston has been awarded several grants from the Environmental Protection Agency to undertake the design and construction of sewer separations in the South End and Charlestown Urban Renewal Projects.

Since the time these EPA grants were approved, a Boston Water & Sewer Commission has been created. All responsibility for the control, financing, operation and maintenance of the Public Water and Sewer Systems of the City of Boston are now vested in that agency. Previous agreements between the EPA and the City of Boston are being amended, naming the Commission as the grantee. The BRA had agreed to perform the work under these grants for the City and will now do so for the Water and Sewer Commission.

In order to expedite the transfer of payments from the Water & Sewer Commission to the Boston Redevelopment Authority made by the E.P.A. and the State, the attached Memorandum of Understanding is recommended.

VOTED: That the Director is hereby authorized to enter into a Memorandum of Understanding with the Boston Water & Sewer Commission on the prompt transfer to the B.R.A. of E.P.A. and State Grant Payments in the South End R-56 and Charlestown R-55 Projects.